

AMENDED IN SENATE JULY 1, 2014
AMENDED IN ASSEMBLY MAY 6, 2014
AMENDED IN ASSEMBLY APRIL 8, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2374

Introduced by Assembly Member Mansoor

February 21, 2014

An act to amend Section 11833 of, and to add Section 11830.01 to, the Health and Safety Code, relating to substance abuse treatment.

LEGISLATIVE COUNSEL'S DIGEST

AB 2374, as amended, Mansoor. Substance abuse: recovery and treatment services.

(1) Existing law grants the Department of Health Care Services the sole authority in state government to license adult alcoholism or drug abuse recovery or treatment facilities. The department is authorized to issue a license to specified types of facilities if certain criteria are met. Existing regulations require licensees to report specified events and incidents to the department, including, among others, the death of a resident at a licensed facility.

This bill would require the department to design its death investigation policy to ensure that the death of a resident of a licensed facility is ~~reported by the licensee and~~ addressed *and investigated* by the department in a timely manner. The bill would specify the content of telephonic and written reports of ~~events or incidents~~ *resident deaths* occurring in a licensed facility that are required to be reported to the department.

(2) Existing law grants the department the sole authority in state government to determine the qualifications, including the appropriate skills, education, training, and experience of personnel working within alcoholism or drug abuse recovery and treatment programs licensed, certified, or funded under state law. The department, by regulation, requires that a person who will provide counseling services to those programs to register with, and be certified by, a nationally accredited certifying organization approved by the department.

This bill would prohibit the department from approving ~~an a certifying~~ organization for those purposes that does not, prior to registering or certifying a counselor, ~~consult with the available electronic databases of certain an individual, contact other approved counselor~~ department-approved certifying organizations to determine whether the ~~person individual~~ has ever had his or her registration or certification as a counselor revoked.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 11830.01 is added to the Health and
2 Safety Code, to read:
3 11830.01. (a) The ~~department's~~ death investigation policy ~~of~~
4 ~~the department~~ shall be designed to ensure that a resident's death
5 ~~is reported by the licensee and~~ addressed *and investigated* by the
6 department in a timely manner.
7 (b) The telephonic and written reports of ~~events or incidents~~
8 *resident deaths* occurring in a licensed facility that are required to
9 be reported to the department shall include, but not be limited to,
10 a description of the event or incident, including the time, location,
11 and nature of the event or incident, a list of immediate actions that
12 were taken, including persons contacted, and a description of the
13 followup action that is planned, including, but not limited to, steps
14 taken to prevent a ~~recurrence of the event or incident~~ *future death*.
15 SEC. 2. Section 11833 of the Health and Safety Code is
16 amended to read:
17 11833. (a) The department shall have the sole authority in
18 state government to determine the qualifications, including the
19 appropriate skills, education, training, and experience of personnel

1 working within alcoholism or drug abuse recovery and treatment
2 programs licensed, certified, or funded under this part.

3 (b) ~~The~~ *Except for licensed professionals, as defined by the*
4 *department, the* department shall require that a counselor working
5 within a program described in subdivision (a) be registered with
6 or certified by ~~an~~ *a certifying* organization approved by the
7 department to register and certify counselors. The department shall
8 not approve ~~an~~ *a certifying* organization that does not, prior to
9 registering or certifying ~~a counselor, an individual, consult with~~
10 ~~the available electronic databases of the contact~~ other
11 department-approved ~~counselor registration and certification~~
12 *certifying* organizations to determine whether the ~~person~~ *individual*
13 has ever had his or her registration or certification ~~as a counselor~~
14 revoked.